

UNITED STATES DISTRICT COURT
for the
Southern District of New York

JESUS MIZQUIRI, on behalf of himself, FLSA Collective Plaintiffs, and the Class,)
)
)
)
<i>Plaintiff(s)</i>)
v.)
NEAPOLITAN EXPRESS LLC, NEAPOLITAN EXPRESS STORE 10001 LLC,)
NEAPOLITAN TRUCK 10001 – 20000, and MAX CRESPO,)
<i>Defendant(s)</i>)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*) See Rider

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

C.K. Lee, Esq.,
Lee Litigation Group, PLLC
148 West 24th Street, Eighth Floor,
New York, NY 10011

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 10/19/2023

/s/ P. Canales

Signature of Clerk or Deputy Clerk



The image shows a handwritten signature "P. Canales" written over the circular official seal of the United States District Court for the Southern District of New York. The seal features an eagle with wings spread, perched atop a shield, surrounded by the text "UNITED STATES DISTRICT COURT" and "FOR THE SOUTHERN DISTRICT OF NEW YORK".

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

- I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or
- I left the summons at the individual's residence or usual place of abode with *(name)* _____,
a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or
- I returned the summons unexecuted because _____; or
- Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

SUMMONS RIDER

DEFENDANT(S) ADDRESS(ES)

- NEAPOLITAN EXPRESS LLC
c/o Richard G Della Ratta Esq.
147 Barrett Street
Schenectady, NY 12305
- NEAPOLITAN EXPRESS STORE 10001 LLC
c/o The Agresta Firm, Attorneys & Counsellors at Law
40 Wall Street
New York, NY 10005
- MAX CRESPO
c/o NEAPOLITAN EXPRESS LLC
40 Wall Street
New York, NY 10005